

### **Specification**

The Examiner has objected to the specification as not containing an Abstract of the Disclosure. The Examiner's attention is directed to Applicants' Preliminary Amendment filed May 28, 1999, which has attached thereto an Abstract of the Disclosure. Furthermore, typographical/grammatical errors have been removed from the specification in the May 28, 1999 Preliminary Amendment.

In accordance with the Examiner's request, the title of the invention has been amended to be clearly indicative of the invention to which the claims are directed.

As such, Applicants respectfully request the objection be withdrawn.

### **Rejection Under 35 U.S.C. § 102**

Claims 24-33, 35-36 and 38-40 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Ohki et al. (U.S. Patent No. 5,708,652).

The Examiner alleges that Ohki et al. teaches a method for recording and reproducing a magneto-optical recording medium which includes a plurality of magnetic layers which are irradiated with light beams having wavelengths with different values.

Applicants respectfully traverse the rejection for the following reasons.

Applicants respectfully disagree with the Examiner and find that Ohki et al. fails to teach or suggest a method for recording and reproduction on a magneto-optical recording medium using light beams having wavelengths with different values. Clearly, in lines 40-46 of Column 1 and in Figure 1, Ohki et al. refer to two different light beams as "L1" and "L2", but there is no teaching or suggestion by Ohki et al. that these light beams have different wavelengths. Rather the skilled artisan would reasonably conclude that L1 and L2 are distinct only in their respective approach angle to the recording medium. Since Ohki et al. fails to teach light beams having different wavelengths, Ohki et al. cannot anticipate the instantly claimed invention.

There are further distinctions, but a quick overview of the background of optical storage media will aid in understanding the distinctions. In general, optical storage media are prepared with a reflective layer, e.g. aluminum, and imprinted with a series of pits and flat areas. Reading these pits or flats denote 0's or 1's. A thin laser beam reads the pits or the flats while the surface of the disk moves lateral to the direction of the light source. The light reflects from the flat areas, not the pits, and a photo detector reads what is reflected and sends the 0's or 1's

to the CPU. The optical media device of Ohki et al, use this same type of technology.

The media of Ohki et al is not recordable, i.e., the pits and flats are incorporated onto the disk during its preparation, and are not removable without destroying the integrity of the media. In contrast, the media of the present invention is a MO, or Magnetic Optical device. These drives are recordable, erasable and reusable. The reading of information is a result of the various magnetization states, within the magnetic layers, altering the light beam. The relative signal output depends upon the wavelength of the light and the magnetization state of the magnetic layer, see Figure 3. Thus, the instantly claimed invention is not anticipated, nor made obvious by Ohki et al, since there is no teaching or suggestion by Ohki et al to replace the pits and flats with a plurality of magnetic layers which can be treated to have a combination of magnetization states.

Furthermore, the rejection under 35 U.S.C. § 102(a) is improper because the reference publication date falls after the U.S. filing date of the instant Application. Applicants respectfully request the rejection be **withdrawn**.

**Allowable Subject Matter**

Applicants note with appreciation, the Examiner has indicated that claims 34 and 37 recite allowable subject matter.

**CONCLUSION**

In view of the above amendments and remarks, Applicants respectfully submit that the instantly claimed invention is allowable. A Notice to such effect is earnestly solicited.

Should there be any outstanding matters, which need to be resolved in the present Application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, to conduct an interview in an effort to expedite prosecution in connection with the present Application.

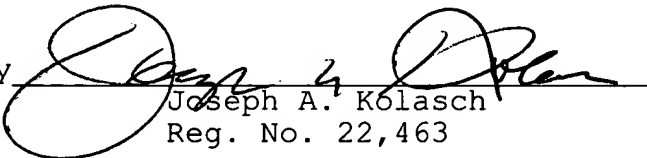
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension

INT'L. APPLN. NO.: PCT/JP 96/01938  
Application No.: 09/321,795

of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joseph A. Kolasch  
Reg. No. 22,463

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

*Q*  
JAK/GMD:jls  
2282-127P